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**KEATING & BENNETT LLP**

# Fax

DEC 22 2003

<b>To:</b> Examiner Dougherty	<b>From:</b> Christopher A. Bennett
<b>Fax:</b> 703-872-9306	<b>Date:</b> December 22, 2003
<b>Phone:</b> 703-308-1628	<b>Pages:</b> 10
<b>Re:</b> 10/090,151 36856,621	<b>CC:</b>

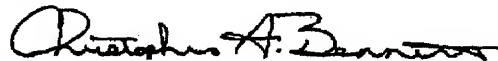
**•Comments:**

Examiner Dougherty,

Please find attached hereto the following documents for the above-identified application:

- Amendment;
- Amendment Transmittal Form; and
- Credit Card Payment form in the amount of \$36.00.

Respectfully submitted,



Christopher A. Bennett  
for  
Keating & Bennett, LLP  
(Registration Number 46,710)

## MODIFIED FORM PTO-1083

Attorney Docket No. 36856.621

Date: December 22, 2003

Inventor(s): Shigeto TAGA

Serial No. : 10/090,151

Filed : March 5, 2002

For : SURFACE ACOUSTIC WAVE DEVICE, METHOD FOR MAKING THE SAME, AND COMMUNICATION APPARATUS INCLUDING SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified patent application.


- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT. EXTRA	SMALL ENTITY RATE	SMALL ENTITY FEE		OTHER THAN SMALL ENTITY RATE	OTHER THAN SMALL ENTITY FEE
TOTAL CLAIMS <u>22</u>	20 =	-2-	X 9	\$	OR	X 18	\$36.00
INDEP CLAIMS <u>1</u>	3 =	-0-	X 42	\$	OR	X 84	\$-0-
<u>1</u> FIRST PRESENTATION OF MULTIPLE DEP CLAIMS			X+ 130	\$	OR	+ 260	\$-0-
			TOTAL =			TOTAL =	\$36.00

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.
- ☐ Please charge my Deposit Account No. 50-1353 the amount of \$\_\_\_\_\_. A duplicate copy of this transmittal letter is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the extension fee is enclosed.
- ☒ A Credit Card Payment Form in the amount of \$36.00 to cover the additional claims is enclosed..
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1353. A duplicate copy of this transmittal letter is enclosed.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

  
 Christopher A. Bennett  
 Reg. No. 46,710

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted to  
Group Art Unit 2834, 703-872-9306, addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

Date: December 22, 2003

  
Christopher A. Bennett

**PATENT**  
36856.621

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shigeto TAGA	Art Unit: 2834
Serial No.: 10/090,151	Examiner: T. Dougherty
Filed: March 5, 2002	
Title: SURFACE ACOUSTIC WAVE DEVICE, METHOD FOR MAKING THE SAME, AND COMMUNICATION APPARATUS INCLUDING THE SAME	

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 24, 2003, please amend the  
above-identified application as follows:

- ☐ Amendments to the Specification begin on page      of this paper.
- ☒ Amendments to the Claims are reflected in the listing of the claims which  
begins on page 2 of this paper.
- ☐ Amendments to the Drawings begin on page      of this paper and include  
an attached replacement sheet. An Appendix including the amended drawing figures  
is attached following page      of this paper.
- ☒ Remarks/Arguments begin on page 6 of this paper.

Please note, if a box is not checked, then no corresponding amendment is being made.